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UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
HARRISBURG PA

JUL 12 2002

MARY E. D'ANDREA, CLERK
Per

GREENE/GUILFORD ENVIRONMENTAL
ASSOCIATION, a non-profit corporation
incorporated under the laws of the
Commonwealth of Pennsylvania, CITIZENS
FOR PLANNED COMMUNITY GROWTH,
an unincorporated association organized under
the laws of the Commonwealth of Pennsylvania,
PAUL B. AMBROSE, JOHN G. ENDERS,
CHARLES F. RAHAUSER, BETSY
RAHAUSER, DOUGLAS A. WARNOCK,
U.X. VAGNERINI, THOMAS W. BUNDY,
STEPHEN P. BUCHER, ROGER J.
ROBERTSON, JAMES A. STRITE, JR.,
and DAVID A. GUTHRIE,

Plaintiffs,

v.

KEN WYKLE, Administrator, Federal
Highway Administration, ROBERT GATZ,
Federal Highway Administration,
Defendants,

And

BRADLEY L. MALLORY, Secretary for
The Department of Transportation,
Commonwealth of Pennsylvania,
Intervenor.

CIVIL NO. 1:CV-01-0910
(Judge Rambo)

**PLAINTIFFS' UNOPPOSED MOTION FOR WAIVER OF LOCAL RULE 7.8 TO
FILE A BRIEF IN SUPPORT OF PLAINTIFFS' ANSWER TO THE JOINT
MOTION FOR SUMMARY JUDGMENT IN EXCESS OF FIFTEEN PAGES**

AND NOW, come the Plaintiffs in the above captioned case and respectfully request that this Court waive Local Rule 7.8 as applied to the Brief in Support of the Plaintiffs' Answer in Opposition to the agencies' Joint Motion for Summary Judgment for the following reasons:

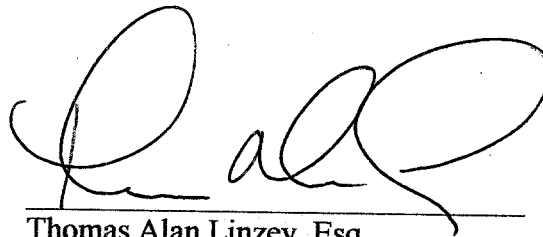
1. The Defendants have produced an Administrative Record that is contained within fourteen boxes and comprises one hundred and seventy-seven (177) volumes containing materials prepared from 1987 to 2001. Many of those volumes contain individual correspondence, Memoranda, and other documents collected over those fourteen years.
2. The Administrative Record contains twenty-one (21) volumes of "Traffic Technical Data" and other "Technical Data."
3. On June 10, 2002, the highway agencies filed a Joint Motion for Summary Judgment and a Brief in Support of that Motion. The Brief in Support of that Motion was fifty (50) pages in length.
4. By Order of this Court dated June 21, 2002, the Plaintiffs are due to file their Answer to the Joint Motion no later than July 25, 2002.
5. Due to the complex issues raised by this case, and the length of the Administrative Record produced by the agencies, the Plaintiffs have prepared a Brief in Support of

their Answer to the agencies' Joint Motion for Summary Judgment which is approximately forty (40) pages in length.

6. The agencies concur with this request, and the Plaintiffs do not oppose a forty (40) page limitation on the agencies' Brief in Support of their Answer to the Plaintiffs' Motion for Summary Judgment.
7. Plaintiffs shall be filing their Answer to the agencies' Joint Motion and their Supporting Brief on or before July 25th. Therefore, this Motion complies with Local Rule 7.8's "two working days" request for waiver.

Therefore, for the reasons outlined in this Motion, the Plaintiffs respectfully request that this Court waive the provisions of Local Rule 7.8 and authorize the Plaintiffs to file a Brief in Support of their Answer exceeding fifteen pages, but not exceeding forty (40) pages in length.

Dated this 11th Day of July, 2002

A handwritten signature in black ink, appearing to read 'Thomas Alan Linzey', written over a horizontal line.

Thomas Alan Linzey, Esq.
Community Environmental Legal Defense Fund (CELDF)
2859 Scotland Road
Chambersburg, Pennsylvania 17201

Counsel for the Plaintiffs